



**ABADY**  
**LAW FIRM, P.C.**

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November 26, 2014

**FOIA E-FILE ONLY**

FOIA Division  
U.S. Customs & Border Protection  
799 9<sup>th</sup> Street, NW Mint Annex  
Washington, DC 20001-4501

&

**TELECOPY ONLY (313-226-6066)**

Port Director  
U.S. Customs and Border Protection  
477 Michigan Ave, Suite 200  
Detroit, MI 48226

**RE: FREEDOM OF INFORMATION ACT REQUEST**

<i>Petitioner:</i>	Yakov Yosofov 390 Ocean Parkway, Apt 4A Brooklyn, NY 11218
<i>Customs Case No.:</i>	2015-3801-000078-01
<i>Property:</i>	19,223.00 (\$0.00 returned for humanitarian reasons)
<i>Seizure Date:</i>	November 5, 2014
<i>Notice Date:</i>	November 17, 2014
<i>Seizure Place:</i>	Ambassador Bridge in Detroit, Michigan
<i>My File Number:</i>	30124

Dear Sir/Madam:

This firm is representing **Yakov Yosofov** in the above referenced matter. This is a request for records, including electronic records, filed pursuant to the Freedom of Information Act, 5 U.S.C. § 552, *et. seq.* The requestor agrees in advance to pay for all reasonable search and copy charges. The requestor may modify the request in order to get a quicker response.

As required by 5 U.S.C. § 552(a)(7) we request a tracking number assigned to this request within 10 days. In addition, the firm requests the telephone line and/or Internet

service we may use to track this request. We request the documents be made available within the time prescribed by law.

Additionally, we bring to your attention President Obama's Memorandum For The Heads Of Executive Department Agencies dated January 21, 2009: "[t]hat all agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA." Barack Obama, U.S. President, Memorandum for the Heads of the Executive Departments and Agencies: Freedom of Information Act, January 21, 2009, at [http://www.whitehouse.gov/the\\_press\\_office/FreedomofInformationAct/](http://www.whitehouse.gov/the_press_office/FreedomofInformationAct/) (last visited October 18, 2014). The memo further provides that: "[t]he Freedom of Information Act should be administered with a clear presumption: In the case of doubt, openness prevails."

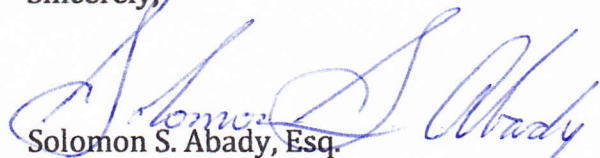
Nevertheless, if any responsive record or portion thereof is claimed to be exempt from production under FOIA, please provide sufficient identifying information with respect to each allegedly exempt record or portion thereof to allow us to assess the propriety of the claimed exemption. Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973) cert. denied, 415 U.S. 977 (1974). In addition, any reasonably segregable portion of a responsive record must be provided, after redaction of any allegedly exempt material. 5 U.S.C. § 552(b).

In addition, if records are not produced within twenty (20) business days, requestor is entitled to a complete waiver of search and duplication fees under Section 6(b) of the OPEN Government Act of 2007, which amended FOIA at 5 U.S.C. § 552 (a)(4)(A)(viii).

In an effort to facilitate record production within the statutory time limit, requestor is willing to accept documents in electronic format (e.g. email, .pdf). When necessary, requestor will also accept the "rolling production" of documents.

**We request all information prepared by Customs and Border Protection ("CBP") for the seizure in the above referenced case. We request all information that evidences why and how CBP determined to seize the property. We request the reports, notices, bulletins, manuals, guidelines, directives, and related information specifically relied upon by CBP in the above referenced case.**

Sincerely,

  
Solomon S. Abady, Esq.

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Enclosure(s)

cc: Yakov Yosofov



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### POWER OF ATTORNEY

TO: U.S. Customs and Border Protection

RE: **CUSTOMS CASE NO.: 2015-3801-000078-01**  
Yaakov Yosofov  
390 Ocean Parkway, Apt 4A  
Brooklyn, NY 11218

Abady Law Firm, P.C., is hereby appointed, and authorized to act, as attorney at law for the undersigned with respect to matters before U.S. Customs and Border Protection ("Customs").

Said attorney is authorized, and a limited power of attorney is granted to said attorney, to execute any documents as required by this Customs matter, including, but not limited to, Election of Proceedings (Form AF), Hold Harmless Agreements, Freedom of Information Act Requests, and Release Dispositions on behalf of the undersigned.

A duplicate, photocopy, telefax copy or photocopy of a telefax copy of the signed original shall have the same validity, force and effect as the original.

Dated: 11/25/14

Company (if applicable): \_\_\_\_\_

Print Name: YAAKOV YOSOFOV

Signature: YAAKOV YOSOFOV